UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,611	10/25/2001	Ryota Hata	M2047-27	1017

7278   7590   09/06/2006

DARBY & DARBY P.C.
P. O. BOX 5257
NEW YORK, NY 10150-5257

EXAMINER
WU, XIAO MIN

ART UNIT	PAPER NUMBER
2629	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/045,611	HATA ET AL.
	Examiner	Art Unit	
	XIAO M. WU	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2006*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16,19 and 20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *3-5 and 11-13* is/are allowed.

6)☒ Claim(s) *1,2,6-10,14-16,19 and 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/16/2006*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-2, 6-10, 14-16, 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated

by Someya et al. (US Patent No. 6,300,931).

As to claims 1, 9, 20, Someday discloses an electronic apparatus for displaying a display

signal included in a file, the electronic apparatus comprising: a display panel (21, Fig. 4); an

image information acquisition unit (e.g. the signal input unit 22, 23, 24) operable to obtain image

information from the file (e.g. the memory which store the R, G, B data), said image information

including information regarding a status of the display signal (22, 23, 24, Fig. 4); a lighting unit

(20, Fig. 4) operable to light the display panel; a parameter unit (18, Fig. 1) operable to generate

a parameter based in the image information and a light state of said lighting unit, and operable

output the generated parameter (e.g. the changes of the color tone to occur when the light source

20 is switched to the low intensity state, that is, the changes of the color tones to occur when the

RGB chromaticity points are changed from (xRh, yRh), (xGh, yGh), and (xBh, yBh) in the high

intensity state to (xRl, yRl), (xGl, yGl) ,and (xBl, yBl) in the low intensity state can be

compensated with rewriting of the data in the look-up tables (LUT) 10, 11, and 12. Color

changes thus can thus be prevented, see col. 4, lines 41-49); a signal correcting unit (10, 11, 12,

Fig. 1) operable to correct the display signal using generated parameter and operable to output

the corrected display signal (e.g. adjust the color values in the LUT); and a driving unit (17, Fig.

4) to drive the display panel on the basis of a corrected display signal (col. 4, lines 41-49).

As to claims 2, 6, 10, 14, and 19, Someya discloses the parameter includes information

used for tone reproduction curve correction or a color gain adjustment (see Figs. 2 and 3).

As to claims 7, 15, Someya discloses that an area used to stored profile information (e.g.

LUT, Fig. 1) about a device that has generated the display signal, wherein the signal correcting

means corrects the display while taking this profile into account.

As to claims 8, 16, Someya discloses an operating means that accepts operation of a user,

and control means for inputting operational information from the operating means (see Fig. 6),

when operational information is not input continuously during a fixed time, the control means

turns off the lighting means, and with this turn-off (e.g. BLACK state as shown in Fig. 6) as a

trigger, cause the parameter adjusting means adjust the parameter participating in picture quality

so as to conform al light state.

Allowable Subject Matter

3.   Claims 3-5, 11-13 are allowed.

Response to Arguments

4.   Applicant's arguments filed 6/288/2006 have been fully considered but they are not

persuasive. Applicant argues that Someya discloses using a LUT that contains fixed data which

is not based on "image information and a light state of said lighting unit". This argument is not

persuasive because Someya clearly discloses the microcomputer can change the data in the LUT

based on the light condition and the input image data (see col. 2, lines 37-38; col. Col. 4, line 41-

49). Thus, the LUT is changeable and is not fixed.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to XIAO M. WU whose telephone number is 571-272-7761. The

examiner can normally be reached on 6:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, RICHARD HJERPE, can be reached on 571-272-7691. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

x.w.

September 2, 2006

XIAO M. WU
Primary Examiner
Art Unit 2629